

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

January 17, 2008

In re application of :1 KAPLAN, Jeffrey
Serial No. : 10/709,242
Filed : April 23, 2004
Entitled : **STYPTIC PENCIL OR STICK HOUSED
IN A TUBULAR DISPENSER**
Examiner : Huynk, Kho D.
Art Unit : 3751
Our File No. : 10853.3801

RESPONSE TO THE EXAMINER'S RESTRICTION REQUIREMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

This amendment is in response to the Examiner's Restriction Requirement dated January 7, 2008. Claims 1 through 20 are pending in the application.

It is the Examiner's position that the application contains claims directed to the following patentably distinct species:

Species 1 (as depicted in Fig. 2B);

Species 2 (as depicted in Fig. 6).

It is the Examiner's position that the Species 1 and 2 are independent or distinct because they contain mutually exclusive structural characteristics.

The Examiner has required that under 35 U.S.C. 121, the applicant must elect a single